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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

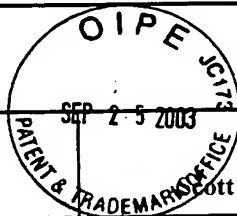
Docket No.
UAB-16102/22

Box

In Re Application Of: **Richard J. Whitley et al.**

Serial No.
10/009,972

Filing Date
February 14, 2002



Examiner
Scott David Priebe

Group Art Unit
1638

Title: **HERPES SIMPLEX VIRUS EXPRESSING FOREIGN GENES AND
METHOD FOR TREATING CANCERS THEREWITH**

Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231

37 CFR 1.97(b)

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

OR

☒ the fee set forth in 37 CFR 1.17(p).

**DISK
ENCLOSED**

Also enclosed: Supplemental Amendment,
Verification Statement +
Sequence Listing (paper + disk)

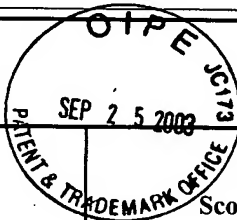
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**HERPES SIMPLEX VIRUS EXPRESSING FOREIGN GENES AND
METHOD FOR TREATING CANCERS THEREWITH**

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☒ A check in the amount of \$180.00 is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of
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I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No.) on

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I certify that this document and fee is being deposited on Sept. 25, 2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, PO BOX 1450, ALEXANDRIA, VA, 22313-1450.

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Dated:

September 24, 2003

Avery N. Goldstein
Signature
Avery N. Goldstein, Reg. No. 39,204

Attorney for Applicant

Gifford, Krass, Groh, Sprinkle,

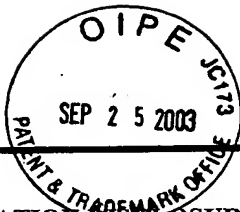
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280 N. Old Woodward Avenue, Suite 400

Birmingham, MI 48009-5394

(248) 647-6000

CC:



INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

Docket Number (Optional)

UAB-16102/22

Application Number

10/009,972

Applicant(s)

Richard J. Whitley et al.

Filing Date

February 14, 2002

Group Art Unit

1638

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
		WO 99/07394	FEB 1999	WIPO	A61K	35/37		
		WO 98/42855	OCT 1998	WIPO	C12N	15/86		

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		TODA M. ET AL: In Situ Cancer Vaccination: An IL-12 Defective Vector/Replication-Competent Herpes Simplex Virus Combination Induces Local and Systemic Antitumor Activity¹, J. of IMMUNOLOGY, 160(9), 01.05.1998, 4457-4464

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.